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Joint Committee on Judiciary
Room 2500, Legislative Office Building
Hartford, CT 06106

Re: H.B. #6688

Dear Judiciary Committee Members:

I write to comment on proposed H.B. #6688 in part addressing lifetime alimony awards in Connecticut.

My ex-wife is the recipient of the largesse of CT Judge's mistake awarding her lifetime alimony. When I divorced in the Spring of 2001 ending a nearly 28 year marriage my ex-wife received a favorable to her disproportionate property settlement as well as a lifetime alimony award. She at that time worked as a licensed CT Attorney while I worked as a salaried auditor. Her alimony award was \$25,000 a year and with an additional \$10,000/year for child support, my burden was \$35,000 a year plus other related expenses.

My ex-wife chose not to work anymore after our divorce even though my two children who were still at home were in high school and junior high school. I saw no need for her to stay home and not to work. From the divorce she received a mortgage-free house and alimony sufficient to maintain her lifestyle. I continued to work to pay my court ordered expenses and to provide college educations for my 4 children. Over the last 12 years my child support had legally ended and my alimony has been reduced to \$15,000 a year because of my unemployment.

I will be 67 years old in May and I have health issues associated with my age. My ex-wife who is 59 and remains capable of working does not choose to work and continues to collect her lifetime alimony as well as ½ of the value of my pension computed at divorce date that she received via QDRO. I figure if I am lucky I have another 5-7 healthy enough years left to travel, play some golf and enjoy my retirement before more serious health issues set in. I am not a wealthy man who lives in Fairfield County and who can easily afford the \$15,000 year alimony I pay. I live in Pittsfield, MA in a small 700 square foot bungalow that I heat with a wood stove. I cannot afford to enjoy the retirement I worked my whole life for because a CT Judge, absent judicial guidelines and restraints, made an arbitrary and incorrect decision. The MS diagnosis my ex-wife

brought to a our divorce trial and that the Judge chose to believe/overweight remains without basis or medical gravitas 12 years later. The Social Security Administration in denying my ex-wife disability benefits affirms that she is healthy enough to work. My ex-wife did not appeal their decision.

The practice of subjectively awarding lifetime alimony has been injurious to both my ex-wife and myself. For my ex-wife it enabled a functioning and productive member of our community to effectively retire at age 47 and become my ward. She remains my ward now and will likely become a ward of the State of Connecticut at my passing. And for me both my working career and retirement have been unfairly compromised and burdened.

A well-understood precept is that we are a nation of laws and not men. The unguided/unregulated practice of allowing CT Judges to arbitrarily and subjectively award lifetime alimony is an anachronism that has to be terminated if we aspire to a more just legal system in the State of Connecticut. Our legal system at best will remain imperfect. How is it that CT Judges are allowed to make subjective lifetime alimony awards absent specific objective guidelines? CT Judges are political appointees; some smarter than others. None of them however are omniscient and have the capability to see 10, 15, 20+ years into the future. We do know with certainty though that life changes.

I understand that there may be exceptional situations when alimony should be paid throughout a recipient's life. Instead of an initial lifetime alimony award at a relatively young age, wouldn't it make more sense and be more equitable to time-limit initial alimony awards and make any further continuation after a stipulated end date subject to judicial review under established objective guidelines? Why not let the burden of proof as to the necessity of alimony continuation beyond an initial end date be borne by the alimony continuation petitioner? In this way we can help assure an alimony judgment will be fairer and stand the test of time. Why can't H.B. #6688 be more proscriptive and less prescriptive? Isn't it easier to avoid a problem instead of trying to repair it many years later? Instead of a meaningless bi-partisan compromise that does little to address lifetime alimony award deficiencies, why not jointly agree to make meaningful changes to the law. Hindsight being 20-20 provides no solace to me.

I appreciate you reviewing my comments.

Sincerely,

Howard S. Cooper